

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHAEL CONTI,

Plaintiff,

v.

CORPORATE SERVICES GROUP, INC.,
et al.,

Defendants.

CASE NO. C12-245RAJ

ORDER

The court issued an order on December 12 asking the parties to file objections to entry of judgment in favor of Plaintiff and against Defendant Corporate Services Group, Inc., for the sum of \$190,785.12, the judgment indicating that Defendant Jay Leon is jointly and severally liable for \$10,000 of that amount. The court stated that any objection must be limited to the question of “whether the judgment proposed . . . accurately reflects the jury’s verdict.” Dkt. # 189.

Plaintiff filed no objection. Defendants objected that the judgment should award no damages to Plaintiff. Defendants argued, for the first time, that the “same decision” defense that applies in Title VII claims also applies to claims under the Washington Law Against Discrimination. Defendants also argued that because the jury found that Defendants would have made the same decision even absent a discriminatory motive, it meant that Plaintiff’s damages were not proximately caused by Defendants’ discrimination.

1 Neither argument is appropriate here. Both are, in effect, motions for judgment as
2 a matter of law. The sole issue for which the court sought the parties' input was whether
3 the proposed judgment accurately reflected the jury's verdict. The jury was instructed
4 that the "same decision" defense applied to Plaintiff's federal claims, and was not
5 instructed that the defense applied to Plaintiff's Washington claims. The jury was also
6 instructed on proximate cause, and nonetheless found that Defendants' violation of the
7 law proximately caused Plaintiff damages. The court suggests no view on the merits of
8 the objections that Defendants raise, it merely concludes that they are not appropriate in
9 response to the court's December 12 order.

10 There being no objection to the form of the judgment the court proposed, the court
11 directs the clerk to enter judgment in favor of Plaintiff and against Defendant Corporate
12 Services Group, Inc., for the sum of \$190,785.12, and to indicate that Defendant Jay
13 Leon is jointly and severally liable for \$10,000 of that amount.

14 DATED this 17th day of December, 2013.

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18 The Honorable Richard A. Jones
19 United States District Court Judge
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